Government of Kerala
1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 [No. 117

GOVERNMENT OF KERALA

Law (Legislation-B) Department

NOTIFICATION

No. 1884/Leg.B1/84/LAW. *Dated, Trivandrum, 15th February,* 1984 / *26th Magha,* 1905

The following Ordinance promulgated by the Governor on the 15th day of February, 1984 is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/544/MC.

ORDINANCE No. 15 OF 1984

THE KERALA PRESERVATION OF TREES ORDINANGE, 1984

Promulgated by the Governor of Kerala in the Thirty-fifth Year of the Republic of India.

AN

ORDINANCE

to provide for the preservation of trees in the State of Kerala.

Preamble.—WHEREAS there has been indiscriminate felling and destruction of trees in the State of Kerala resulting in considerable soil erosion and destruction and loss of the timber wealth of the State.

AND WHEREAS with a view to prevent soil erosion and destruction and loss of the timber wealth in the State, it is necessary to regulate the felling and destruction of trees in the State;

AND WHEREAS the Kerala Preservation of Trees and Regulation of Gultivation in Hill Areas Ordinance, 1983 (21 of 1983), was promulgated by the Governor of Kerala on the 17th day of June, 1983 for the above purposes;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the Kerala Preservation of Trees and Regulation of Cultivation in Hill Areas Ordinance, 1983 (29 of 1983), was promulgated by the Governor of Kerala on the 29th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 29 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December 1983;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 29 of 1983 has ceased to operate on the 6th day of January, 1984;

AND WHEREAS on a review of the implementation of the provisions of the said Ordinance, the Government are satisfied that it is not necessary to impose regulation on cultivation in hill areas;

AND WHEREAS difficulties will arise if the other provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

AND WHEREAS instructions from the President have been obtained in pursuance of the proviso to clause (1) of article 213 of the Constitution of India;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title, extent and commencement.*—This Ordinance may be called the Kerala Preservation of Trees Ordinance, 1984.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 18th day of June, 1983.

2. *Definitions.*—In this Ordinance, unless the context otherwise requires,—

(a) "appellate authority" means an appellate authority appointed under sub-section (2) of section 3;

(b) "authorised officer" means an officer appointed under sub-section (1) of section 3;

(c) "owner" in relation to any land, includes a mortgagee, lessee or other person having right to possession and enjoyment of that land;

(d) "prescribed" means prescribed by rules made under this Ordinance;

(c) "tree" means any of the following species of trees, namely:—

Sandalwood (Santalum album), Teak (Tectona grandis), Rosewood (Dalbergia latifolia), Irul (Xylia Xylocarpa), Thempavu (Terminalia tomantosa), Kampakam (Hopea parviflora), Chempakam (Michelia chempaca), Chadachi (Crewia tiliaefolia), Chandana vempu (Cedrela toona), Cheeni (Tetrameles nudiflora).

3. *Authorised officers and appellate authorities.*—(1) The Government may, by notification in the Gazette, appoint such officers as they think fit to be authorised officers for the purposes of this Ordinance and may assign to them such local limits as the Government think fit.

(2) The Government may, by notification in the Gazette, appoint such officers as they think fit to be appellate authorities for the purposes of this Ordinance and may assign them such local limits as the Government think fit.

4. *Restriction regarding cutting, etc., of trees.*—(1) No person shall, without the previous permission in writing of the authorised officer, cut, uproot or burn, or cause to be cut, uprooted or burnt, any tree.

(2) The permission under sub-section (1) shall not be refused if—

(a) the tree constitutes a danger to life or property; or

(b) the tree is dead, diseased or windfallen:

Provided that where permission to cut a tree is granted on the ground specified in clause (a) or clause (b), the authorised officer shall impose as a condition for the grant of such permission the effective regeneration of an equal number of the same or other suitable species of trees; or

(c) such cutting is to enable the owner of the land in which the tree stands to use the area cleared or the timber cut for the construction of a building for his own use.

(3) No person shall cut or otherwise damage, or cause to be cut or otherwise damaged, the branch of any tree:

Provided that the provisions of this sub-section shall not be deemed to prevent the pruning of any tree as required by ordinary agricultural or horticultural practices.

(4) No person shall, without the previous permission in writing of the authorised officer, destroy any plant of any tree or do any act which diminishes the value of any such plant.

(5) Nothing contained in sub-section (1) or sub-section (2) or sub-section (3) or sub-section (4) shall apply in respect of any tree or plant in the compound of any residential building:

Provided that where such compound exceeds 0.8 hectare in extent, the provisions of this sub-section shall apply only in respect of an extent of 0.8 hectare immediately surrounding the residential building.

5. *Prohibition of cutting of tree in notified areas.*—(1) Notwithstanding anything contained in any law for the time being in force, or in any judgment, decree or order of any court, tribunal or other authority, or in any agreement or other arrangement, the Government may, with a view to preserving the tree growth in private forests or in the Cardamom Hills Reserve or in any other

areas cultivated with cardamom, by notification in the Gazette, direct that no tree standing in any such area specified in the notification shall be cut, uprooted or burnt except on the ground that—

(a) the tree constitutes a danger to life or property; or

(b) the tree is dead, diseased or windfallen:

Provided that the provisions of this sub-section shall not be deemed to prevent the pruning of any tree as required by ordinary agricultural or horticultural practices.

(2) No person shall, without the previous permission in writing of the authorised officer, cut, uproot or burn, or cause to be cut, uprooted or burnt, any tree in any area specified in the notification under sub-section (1) on any of the grounds specified therein.

Explanation I.—For the purposes of this section, the term "tree" shall include any species of tree.

Explanation II.—For the purposes of sub-section (2), the expression "private forest" means any land which immediately before the 10th day of May, 1971, was a private forest as defined in the Kerala Private Forests (Vesting and Assignment) Act, 1971.

6. *Application for permission.*—(1) Every application for permission under section 4 or section 5 shall be in such form and shall contain such particulars as may be prescribed and shall be made to the authorised officer.

(2) The procedure to be followed by the authorised officer in granting or refusing permission under section 4 or section 5 shall be such as may be prescribed.

7. *Appeal.*—(1) Any person aggrieved by an order refusing to grant permission under section 4 or section 5 may, within ninety days of the receipt of such order, prefer an appeal to the appellate authority:

Provided that the appellate authority may admit an appeal preferred after the expiry of the said period of ninety days if it is satisfied that the appellant had sufficient cause for not preferring the appeal within the said period.

(2) An appeal under sub-section (1) shall be in such form and shall contain such particulars as may be prescribed.

(3) On receipt of an appeal under sub-section (1), the appellate authority shall, after giving the appellant an opportunity of being heard, pass such order thereon as it thinks fit.

8. *Revision.*—(1) The Government may, either *suo motu* or on application by any person aggrieved by an order of the appellate authority under section 7, call for and examine the record of any order passed by the appellate authority for the purpose of satisfying themselves as to the legality, propriety or regularity of such order and pass such order thereon as they think fit.

(2) The Government shall not of their own motion revise any order under sub-section (1) if that order has been passed more than three months previously.

(3) An application under sub-section (1) by an aggrieved person shall be made within a period of sixty days from the date on which the order of the appellate authority was communicated to him:

Provided that the Government may admit an application made after the expiry of the said period of sixty days, if they are satisfied that the applicant had sufficient cause for not making the application within that period.

(4) An order prejudicial to a person shall not be passed under sub-section (1) unless that person has been given a reasonable opportunity of showing cause against such order.

Explanation.—An order declining to interfere shall, for the purposes of this sub-section, be deemed to be an order prejudicial to a person.

9. *Penalties.*—Whoever contravenes any of the provisions of section 4 or sub-section (2) of section 5 or a direction contained in a notification under sub-section (1) of section 5 or any of the terms and conditions subject to which a permission has been granted under this Ordinance shall be punishable,—

(a) in the case of first offence, with imprisonment for a term which shall not be less than six months but which may extend to two years, and with fine which shall not be less than five hundred rupees but which may extend to two thousand rupees; and

(b) in the case of a second or subsequent offence, with imprisonment for a term which shall not be less than one year but which may extend to three years, and with fine which shall not be less than one thousand rupees but which may extend to five thousand rupees.

10. *Offences by Companies.*—(1) Where an offence under this Ordinance has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of its business, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any person liable to punishment if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Ordinance has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation:— For the purposes of this section,—

(a) "company" means any body corporate and includes a firm, society or other association of individuals; and

(b) "director",—

(i) in relation to a firm, means a partner in the firm;

(ii) in relation to a society or other association of individuals means the person who is entrusted, under the rules of the society or other association, with the management of the affairs of the society or other association, as the case may be.

11. *Powers of authorised officers and appellate authorities.*—Every authorised officer and appellate authority shall, for the purpose of performing his or its functions under this Ordinance, have all the powers of a civil court while trying a suit under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person and examining him on oath;

(b) requiring the discovery and production of any document;

(c) receiving evidence on affidavit; and

(d) such other matters as may be prescribed.

12. *Powers of entry and inspection.*—The authorised officer or any other officer generally or specially authorised by the Government in this behalf may, with such assistants, if any, being persons in the service of the Government, as he thinks fit, at all reasonable times enter upon any land for the purpose of ascertaining whether any of the provisions of this Ordinance or any of the terms and conditions subject to which any permission has been granted under this Ordinance has been contravened.

13. *Power to seize timber and other articles involved in commission of offence.*—(1) Where any officer of the Forest Department not below the rank of Forester or any Police Officer not below the rank of Sub-Inspector has reason to believe that any tree has been cut in contravention of section 4 or sub-section (2) of section 5 or a direction contained in a notification under sub-section (1) of section 5, he may seize the timber of such tree together with

all tools, ropes, chains and other articles used in the commission of such offence and all boats, vehicles and cattle used for carrying such timber.

Explanation.—The terms "boat" and "vehicle" in this section, section 14 and section 15 shall include all the articles and machinery kept in the boat or vehicle, as the case may be, whether fixed to the same or not.

(2) Every officer seizing any timber under sub-section (1) shall place on such timber a mark indicating that the same has been so seized and shall, as soon as may be, make a report of such seizure to the authorised officer.

(3) On receipt of a report under sub-section (2), the authorised officer shall,—

(a) if he is satisfied that the timber mentioned in such report is of any tree cut in contravention of section 4 or sub-section (2) of section 5 or a direction contained in a notification under sub-section (1) of section 5, make a report of such seizure to the Judicial Magistrate of the First Class having jurisdiction over the area in which such seizure has been made;

(b) if he is not so satisfied, make a report of such seizure to such authority as may be prescribed.

(4) The authority to which a report is made under clause (b) of sub-section (3) shall,—

(a) if it is satisfied that the timber mentioned in such report is of any tree cut in contravention of section 4, or sub-section (2) of section 5 or a direction contained in a notification under sub-section (1) of section 5, make a report of the seizure of such timber to the Judicial Magistrate of the First Class having jurisdiction over the area in which such seizure has been made;

(b) if it is not so satisfied, order that such timber and any tool, rope, chain or other article or any boat, vehicle or cattle seized along with it shall be returned to the person from whom they were seized.

14. *Power to release property seized under section* 13.—The authorised officer may release any timber and any tool, rope, chain or other article or any boat, vehicle or cattle seized under section 13 and in respect of which a report has been made to the Judicial Magistrate of the First Class under clause (a) of sub-section (3) or clause (a) of sub-section (4) of that section, on the execution by the owner thereof of a bond for the production of the property so released, if and when so required, before such Magistrate.

15. *Procedure by Magistrate.*—Upon the receipt of a report under clause (a) of sub-section (3) or clause (a) of sub-section (4) of section 13, the Magistrate shall take such measures as may be necessary for the trail of the accused and the disposal of the timber and any tool, rope, chain or other article or any boat, vehicle or cattle seized along with it, according to law.

16. *Procedure as to perishable property seized under section* 13.—(1) Notwithstanding anything hereinbefore contained,—

(a) the Magistrate to whom a report is made under section 13 may direct the sale of any property seized under that section, which is subject to speedy and natural decay; and

(b) If, in the opinion of the authorised officer, it is not possible to obtain the orders of the Magistrate under clause (a) in time, such officer may sell the property himself, remit the sale proceeds into the nearest Government Treasury and make a report of such seizure, sale and remittance to the Magistrate referred to in the said clause, and thereupon such Magistrate shall take such measures as may be necessary for the trial of the accused.

(2) The Magistrate may deal with the proceeds of the sale of any property sold under clause (a) or clause (b) of sub-section (1) in the same manner as he might have dealt with the property if it had not been sold.

17. *Saving of power to release property seized.*—Nothing hereinbefore contained shall be deemed to prevent the authorised officer from directing at any time the immediate release of any property seized under section 13 and the withdrawal of any charge made in respect of such property:

Provided that the powers under this section shall be exercised by the authorised officer only for good and sufficient reasons to be recorded in writing and with the previous approval in writing of the Chief Conservator of Forests.

18. *Institution of prosecution.*—No prosecution shall be instituted against any person without the sanction of the authorised officer.

19. *Cognizance of offences.*—No court inferior to that of a Judicial Magistrate of the First Class shall try any offence under this Ordinance.

20. *Bar of jurisdiction of civil courts.*—No civil court shall have jurisdiction to settle, decide or deal with any question or to determine any matter which is by or under this Ordinance required to be settled, decided or dealt with or to be determined by any officer or authority or the Government.

21. *Indemnity.*—No suit, prosecution or other legal proceedings shall lie against the Government or any officer or authority or any other person for anything which is in good faith done or purporting to have been done under this Ordinance or any rule or order made thereunder.

22. *Restriction regarding cutting, etc., of trees in future assignments.*—Notwithstanding anything contained in any law for the time being in force, any assignment after the commencement of this Ordinance of land belonging to the Government, under any law for the time being in force shall be subject to the condition that the assignee shall not, without the previous permission in writing of the authorised officer, cut, uproot or burn, or cause to be cut, uprooted or burnt, any tree standing on such land at the time of such

assignment, and the provisions of this Ordinance shall apply in relation to such permission as if they apply in relation to a permission under section 4.

23. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the girth of trees which may be permitted to be cut;

(b) the terms and conditions subject to which permission may be granted;

(c) the procedure to be followed by the authorised officer before granting or refusing permission;

(d) the procedure to be followed by the appellate authority in the disposal of an appeal under section 7;

(e) any other matter which has to be, or may be, prescribed.

24. *Laying of notifications and rules before Legislative Assembly.*—Every notification issued under sub-section (1) of section 5 and every rule made under section 23 shall be laid, as soon as may be after it is issued or made, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the notification or rule or decides that the notification or rule should not be issued or made, the notification or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification or rule.

25. *Power to remove difficulties.*—If any difficulty arises in giving effect to the provisions of this Ordinance, the Government may, as occasion may require, by order, do anything not inconsistent with such provisions, which may appear to them to be necessary for removing the difficulty.

26. *Repeal and saving.*—(1) The Kerala Restriction on Cutting and Destruction of Valuable Trees Act, 1974 (7 of 1974), is hereby repealed.

(2) Notwithstanding the cesser of operation of the Kerala Preservation of Trees and Regulation of Cultivation in Hill Areas Ordinance, 1983 (29 of 1983) (hereinafter referred to as the said Ordinance),—

(a) anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Ordinance;

(b) anything done or any action taken after the cesser of operation of the said Ordinance and before the date of publication of this Ordinance

in the Gazette, which could have been done or taken under the said Ordinance if the said Ordinance had not ceased to operate, shall be deemed to have been done or taken under the corresponding provision of this Ordinance:

Provided that no person convicted of an offence with respect to anything so deemed to have been done under this Ordinance, shall be subjected to a penalty greater than that which might have been inflicted under the law applicable to such offence, in force at the time of the commission of such offence:

Provided further that nothing contained in this section shall render any person liable to be convicted of an offence in respect of anything done or omitted to be done by him after the 1st day of August, 1983 and before the 30th day of August, 1983 and after the cesser of operation of Ordinance 29 of 1983 and before the date of publication of this Ordinance in the Gazette.

P. RAMACHANDRAN,

GOVERNOR.

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Government of Kerala
1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 (Saka) [No. 121

കേരള സർക്കാർ

ട്രാൻസ്പോർട്ട്, ഫിഷറീസ് ആൻറ് പോർട്ട്സ് (എച്ച്) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 27184/എച്ച്3/83/ററി. എഫ്. ആൻറ് പി.

തിരുവനന്തപുരം 1984 ജനുവരി 9.

എസ്. ആർ. ഒ. 153/84—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21) 3-ാം വകുപ്പ് 1-ാം ഉപവകുപ്പ് പ്രകാരം താഴെ പട്ടികയിൽ വിവരിക്കുന്ന ഭൂമി സംബന്ധിച്ചു 1983 ജൂൺ 2-ാം തീയതിയിലെ 584-ാം നമ്പർ കേരള അസാധാരണ ഗസററിൽ എസ്. ആർ. ഒ. 676/83 എന്ന നമ്പരായി പ്രസിദ്ധീകരിച്ച 1983 മേയ് 27-ാം തീയതിയിലെ 13273/ററി. ബി2/83/ററി. എഫ്. ആൻറ് പി. എന്ന നമ്പർ വിജ്ഞാപനം ഇതിനാൽ റദ്ദു ചെയ്തിരിക്കുന്നു.

പട്ടിക

ജില്ല—കണ്ണൂർ.

താലൂക്ക്—കാസർഗോഡ്. വില്ലേജ്—പെരഡാല.

സർവെ നമ്പർ—777/8ബി3.

വിവരണം—തോട്ടം.

വിസ്തീർണ്ണം—0.1214 ഹെക്ടർ.

33/548/84/S

വിശദീകരണക്കുറിപ്പ്

2-6-1983-ലെ ഗസററിൽ പ്രസിദ്ധീകരിച്ച 28-5-1983-ലെ 13273/ററി ബി2/83/ററി എഫ് ആൻറ് പി. നമ്പർ പരസ്യം ലഭ്യമാക്കുന്നതിനുണ്ടായ കാലതാമസം മൂലം കേരളാ സ്ഥലമെടുപ്പ് ചട്ടങ്ങളിലെ 3-ാം ചട്ടം അനുസരിച്ചുള്ള നോട്ടീസ് നിർദ്ദിഷ്ട കാലയളവിനുള്ളിൽ നൽകാൻ സാധിക്കാതെ വന്നു. ആയതിനാൽ 3-ാം വകുപ്പു 1-ാം ഉപവകുപ്പനുസരിച്ചുള്ള പരസ്യം പുതുതായി പ്രസിദ്ധീകരിക്കേണ്ടിവന്ന സാഹചര്യത്തിൽ റദ്ദാക്കൽ നടപടി വേണ്ടി വന്നിട്ടുള്ളതാണ്.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,

വി. എ. അഗസ്ററിൻ,

ഗവ. അഡീഷണൽ സെക്രട്ടറി.

വിജ്ഞാപനം

നമ്പർ. 27184/എച്ച്3/83/ററി. എഫ്. ആൻറ് പി.

തിരുവനന്തപുരം 1984 ജനുവരി 9

എസ്. ആർ. ഒ. നമ്പർ 154/84.—ഇൻഡ്യൻ ഭരണഘടനയുടെ 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63 ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനം മൂലം, കേരള സംസ്ഥാനത്ത് യൂണിയൻെറ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നത് സംബന്ധിച്ച് 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര സർക്കാരിൻെറ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും ;

താഴെ പട്ടികയിൽ വിവരിട്ടുള്ള ഭൂമി ഒരു പൊതുക്കാര്യത്തിന് അതായത് പെരഡാലത്ത് പോസ്ററ് ആഫീസിന് കെട്ടിടം നിർമ്മിക്കുന്നതിന് ആവശ്യമുണ്ടെന്നോ ആവശ്യമുണ്ടാകാനിടയുണ്ടെന്നോ കേരള സർക്കാരിന് തോന്നുന്നതിനാലും,

ഇപ്പോൾ, അതിനാൽ അതു സംബന്ധിച്ച നോട്ടീസ്, ബന്ധപ്പെട്ട എല്ലാ പേർക്കും പ്രസ്തുത ആക്ട് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ പ്രകാരം ഇതിനാൽ നൽകുന്നു.

പട്ടിക

ജില്ല—കണ്ണൂർ. താലൂക്ക്—കാസർഗോഡ്.

വില്ലേജ് അല്ലെങ്കിൽ അംശവും ദേശവും—പെരഡാല.

(ഏകദേശ വിസ്തീർണ്ണമാണ് കൊടുത്തിരിക്കുന്നത്)

സർവെ നമ്പർ—773/8ബി3.

വിവരണം—തോട്ടം.

വിസ്തീർണ്ണം—0.1214. ഹെക്ടർ.

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശംവെളിപ്പെടുത്തുവാൻ ഉദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

ഇൻഡ്യൻ രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63/ജുഡീഷ്യൽ II എന്ന നമ്പർ വിജ്ഞാപനം മൂലം ഈ സംസ്ഥാനത്ത് കേന്ദ്ര സർക്കാരിന്റെ ഉപയോഗത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതിനുള്ള അധികാരം കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിട്ടുള്ളതും, മുകളിൽപട്ടികയിൽ പറഞ്ഞിട്ടുള്ള ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് പെരഡാല പോസ്റ്റാഫീസിനു കെട്ടിടം നിർമ്മിക്കുന്നതിന് ആവശ്യമാണെന്ന് കേരള സർക്കാരിന് ബോദ്ധ്യം വന്നിട്ടുള്ളതും ആകുന്നു.

മേൽപ്പറഞ്ഞ ആവശ്യത്തിനുവേണ്ടിയുള്ളതാണ് ഈ വിജ്ഞാപനം.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,

വി. എ. അഗസ്റ്റിൻ,

ഗവൺമെന്റ് അഡീഷണൽ സെക്രട്ടറി.

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 [No. 122

GOVERNMENT OF KERALA

Local Administration and Social Welfare (D) Department

NOTIFICATION

G. O. Ms. No. 31|84|LA&SWD.

Dated, Trivandrum, 14th February, 1984.

S. R. O. No. 155|84.—In exercise of the powers conferred by sub-section (3) of section 1 of the Kerala Parks, Play Fields and Open Spaces (Preservation and Regulation) Act, 1968 (2 of 1969), the Government of Kerala hereby appoint the 15th day of February, 1984, as the date on which the said Act shall come into force.

By order of the Governor,

C. GOPALAKRISHNAN,
Deputy Secretary.

33|549|MC.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

According to sub-section (3) of section 1 of the Kerala Parks, Play Fields and Open Spaces (Preservation and Regulation) Act, 1968, the Act shall come into force on such date as the Government may be notification in the Gazette, appoint. Government have decided to notify the date of implementation of the Act as 15-2-1984. This notification is intended to achieve the above object.

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Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 [No. 123

GOVERNMENT OF KERALA

Local Administration and Social Welfare (D) Department

NOTIFICATIONS

G. O. Rt. 544|84|LA&SWD.

Dated, Trivandrum, 13th February, 1984.

I

S. R. O. No. 156|84.—Under section 36 of the Kerala Municipalities Act, 1960 (14 of 1961), read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961, it is hereby notified that Shri C. Raghavan Pillai, Councillor, Quilon Municipal Council, Quilon, has been elected as Chairman of the said Municipal Council, at its special meeting held on the 1st December, 1983.

II

S. R. O. No. 157|84.—Under section 36 of the Kerala Municipalities Act, 1960 (14 of 1961), read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961, it is hereby notified that Shri A. S. Hameed, Councillor, Kayamkulam Municipal Council, Kayamkulam, has been elected as Chairman of the said Municipal Council, at its meeting held on the 12th December, 1983.

By order of the Governor,
C. GOPALAKRISHNAN,
Deputy Secretary.

33|550|MC.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purport).

The Municipal Councils, Quilon and Kayamkulam have elected their Chairmen. Under section 36 of the Kerala Municipalities Act, 1960, read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961 the election of Chairman and Vice-Chairman has to be notified in the Gazette. The notifications are intended to achieve the above object.

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Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 [No. 124

GOVERNMENT OF KERALA

Local Administration and Social Welfare (D) Department

NOTIFICATIONS

G. O. Rt. 587|84|LA&SWD. *Dated, Trivandrum, 15th February 1984.*

I

S. R. O. No. 158|84.—Under section 36 of the Kerala Municipalities Act, 1960 (14 of 1961), read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961, it is hereby notified that Shri V. Lekshmanan, Councillor, Quilon Municipal Council, Quilon, has been elected as Vice-Chairman of the said Municipal Council, at its special meeting held on the 12th December, 1983.

II

S. R. O. No. 159|84.—Under section 36 of the Kerala Municipalities Act, 1960 (14 of 1961), read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961, it is hereby notified that Shri K. A. Lathif, Councillor, Changanacherry Municipal Council, Changanacherry, has been elected as Chairman of the said Municipal Council, at its special meeting held on the 27th December, 1983.

33|551|MC.

III

S. R. O. No. 160|84.—Under section 36 of the Kerala Municipalities Act, 1960 (14 of 1961), read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961, it is hereby notified that Shri E. Narayanan, Councillor, Tellicherry Municipal Council, Tellicherry, has been elected, as Chairman of the said Municipal Council at its special meeting held on the 29th December, 1983.

By order of the Governor,

C. GOPALAKRISHNAN,
Deputy Secretary to Government.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purport).

The Municipal Councils, Quilon, Changanacherry and Tellicherry have elected their Vice-Chairmen|Chairman. Under section 36 of the Kerala Municipalities Act, 1960, read with rule 8 of the Kerala Municipalities (Election of Chairman and Vice-Chairman) Rules, 1961 the election of Chairman and Vice-Chairman has to be notified in the Gazette. The Notifications are intended to achieve the above object.

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PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 [No. 118

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (G) Department

NOTIFICATION

G. O. (MS) No. 8/84/TF & PD. *Dated, Trivandrum, 10th February,* 1984.

S. R. O. No. 150/84.—In exercise of the powers conferred by sub-section (i) of section 35 of the Indian Ports Act, 1908 (Central Act XV of 1908), and in supersession of the Notification No. 36488/B1/75/DD dated the 24th September, 1976, published as S.R.O. No. 1033/76 in the Kerala Gazette No. 40 dated the 12th October, 1976, the Government of Kerala hereby direct that fees may be charged for the services rendered by the Port Departmental crafts stationed at the Port of Neendakara at the rates specified in the Schedule below, subject to the general conditions prescribed thereunder:—

Schedule

(A) *Hire charges of barge including towage*

1.	Hire charges of Departmental barges for carrying ilmenite including towage of barges to and from the steamers at anchorage at Neendakara.	Rs. 8.50 per tonne of cargo carried plus Rs. 150 for towage of each empty barge.
2.	Hire Charges of Departmental barges for carrying general cargo other than ilmenite including towage of loaded barges to and from the steamer at anchorage at Neendakara Port.	Rs. 20 per tonne of cargo carried plus Rs. 150 for towage of each empty barge.

3.	For towage of private cargo lighters carrying ilmenite.	Rs. 3 per tonne of cargo plus Rs. 150 for towing each empty lighter.
4.	For towage of private cargo lighters carrying general cargo other than ilmenite.	Rs. 3 per tonne of cargo plus Rs. 150 for towing each empty lighter.
5.	For towing lighters owned by private parties from Neendakara inner anchorage to outer anchorage or vice versa.	Rs. 150 per lighter.

Detention charges

In the event of a barge being used for more than 8 hours per trip (ie. from the time of commencement of loading of the barge in the case of export cargo and from the time of departure of the empty barge from jetty in the case of import cargo, to the time of return of the barge to the department), detention charge of Rs. 100 per hour or part thereof for each barge will be levied extra. Below half an hour will be ignored and half an hour and above will be taken as one hour for the purpose. Exemption from the above, due to special reasons like weather, tides, breakdown etc. of the tug service will be decided by the Port Officer, according to the merit of each case.

(B) *Hire charges of tugs except Jeevarakshakan*

1.	Special trip to steamer in outer anchorage and back.	Rs. 150 per hour or part thereof.
2.	Special trip for stevedore excluding stevedore labourers.	Hire charges as in (B) (i) above or Rs. 10 for each passenger whichever is higher.
3.	Special trip for stevedore labourers.	Rs. 3 per labourer for each trip subject to a minimum of the rate applicable under item (B) (i) above.
4.	For carriage of passengers/labourers while towing departmental or private lighters.	Rs. 10 for each passenger and Rs. 2 for each labourer.
5.	For going from one seagoing vessel to another at outer anchorage.	Rs. 150 per hour or part thereof.
6.	For carrying packages belonging to persons other than ship's passengers and crew or other articles while towing lighters.	First 50 kg. free and thereafter Rs. 10 for each 50 kg. or part thereof.

7. For measuring out ship's draft.	Rs. 50 for each occasion
8. For any other unenumerated service including rescue and salvage operation.	As fixed by the Port Officer, Neendakara on each occasion.
9. In the event of tug being requisitioned for services under item (1) to (3) and (5) to (8) above and then not utilised.	A minimum charge of Rs. 50 (higher charge may be levied by the Port Officer, Neendakara, depending on the extent of loss of revenue to Government.)
10. Detention of tug in respect of services under item (B).	First 30 minutes free and after the first 30 minutes Rs. 50 per hour and part thereof.

Explanation:

For this purpose 15 minutes and above shall be treated as one hour and less than 15 minutes ignored.

11. For services under item (A) in respect of towage of empty barges/lighters and all services under (B) and services under (C) except cost of fresh water, between the hours 6 p.m. and 6 a.m.	An additional charge of 50% of the rates under each item will be levied.

(C) *Supply of Fresh Water to Steamers*

1. For supply of fresh water to steamer at Neendakara Port.	Rs. 50 per tonne of fresh water and towing charges at the rate of Rs. 150 per hour or part thereof and detention charges as in item (B) (10).

(D) *General Condition and Rules*

1. The Port Department shall not be responsible for any loss or damage which may eventually happen or be occasioned by the tugs and barges during towing services or which may happen or be occasioned by any vessel or its cargo on the tugs charge while in tow, however such loss or damage may arise or from whatever fault or default such loss or damage may arise.

2. The Port Department shall be held harmless and indemnified by the owners of the vessels in tow or other person hiring the tugs as regards any such loss or damage, the owners of the vessels in tow or other services of the tugs shall bear and satisfy any such losses and damages and claims.

3. Application for the use of the tugs and barges shall be made to the Port Officer, Neendakara in the requisite form either on the previous day or

atleast two clear hours before the tugs/other crafts are required for use during day time. Services of the tugs and barges can be availed of only when it can be spared by the Port Officer. The decision of the Port Officer in the matter shall be final.

4. Charges are payable in advance with the application for the services of the tugs and barges. The condition may, however be relaxed by the Port Officer, Neendakara in individual cases when proper guarantee for payment of the full charges is given to his satisfaction. In such cases, charges due shall be paid immediately after the completion of the services.

5. Proportionate hire charges will be collected for services when warranted, if there are two or more applications.

6. In the case of rescue/salvage operations of submerged or stranded vessels, the hire charges and other fees as may be determined by the Port Officer, Neendakara, shall be payable in advance together with the application. But the Port Officer can relax this in special circumstances on a proper guarantee for payment of the charges within a reasonable period, provided the Port Officer is satisfied as to the necessity.

7. The rates specified under (A), (B) and (C) above are applicable only to the Departmental vessels earmarked for the Port of Neendakara. The rate or hire charges of the departmental tugs and barges, if any, brought from other Ports for temporary use at Neendakara shall be the rate applicable to such vessel at the Port to which it belongs unless otherwise intimated by the Port Officer, Neendakara.

8. The amount due to Government as hired charges of tugs and barges shall be recoverable as if they are arrears of Public revenue under the Revenue Recovery Act.

By order of the Governor,

R. C. Choudhury,
Secretary.

Explanatory Note

The hire charges of departmental crafts were fixed in 1976. Since then the cost of fuel, cost of repairs and maintenance charges etc., have gone very high necessitating revision of hire charges for all departmental crafts stationed at Neendakara, except the tug, Jeevarakshakan. This notification is intended to achieve the above object.

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EXTRAORDINARY

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GOVERNMENT OF KERALA

General Administration (Polirical G) Department

DEGLARATION

No. 127622/Pol. G2/83/GAD. *Dated, Trivandrum, 14th February 1984.*

S. R. O. No. 151/84.—Whereas, in exercise of the powers conferred by clause (1) of article 258 of the Constitution of India the President has in notification of Government of India in the Ministry of Home Affairs No. 2/4/63 Judl. dated 31st May, 1963, published as S. O. 1543 in Part II Section 3 subsection (ii) of the Gazette of India No. 23 dated the 8th June, 1963 entrusted the Government of Kerala, with their consent, the functions of the Gentral Government under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962), in relation to acquisition of lands for the purpose of the Union in the State of Kerala;

And whereas, under subsection (1) of section 3 of the Kerala Land Acquisition Act, 1961 (21 of 1962), Notification No. 107802/Pol. C2/82-1/GAD dated the 7th February, 1983, in respect of the lands specified in the schedule below has been published as S.R.O.No. 204/83 in Part I of the Kerala Gazette No. 8 dated the 22nd February, 1983;

And whereas, under subsection (4) of section 19 of the said Act the Government of Kerala have directed that in view of the urgency of the case, the provisions of section 5 of the said Act shall not apply to the lands specified in the Schedule below;

And whereas, the Government are satisfied that said lands have to be acquired for a public purpose:

Now, therefore, the Government of Kerala hereby declare under section 6 of the said Act that the lands specified in the Schedule below and measuring 2.8465 hectares be the same a little more or less, are needed for a public purpose, to wit, for the establishment of Naval Academy at Ezhimala and under section 7 of the said Act direct the Special Tahsildar (L. A.) No. VI, Naval Academy, Ramanthali to take order for the acquisition of the lands. Further, under subsection (1) of section 19 of the said Act the Government direct that the Collector may take possession of the lands on the expiry of fifteen days from the date of publication of the notice mentioned in subsection (1) of section 9 of the said Act.

A plan of the lands is kept in the Office of the Special Tahsildar (L. A.) No. VI, Naval Academy, Ramanthali and may be inspected at any time during office hours.

എസ്. ആർ. ഒ. നമ്പർ 151/84.—ഇൻഡ്യൻ ഭരണഘടന 258-ാം അനുച്ഛേദം (1)-ാം ഖണ്ഡംമൂലം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ച് രാഷ്ട്രപതി 1963 ജൂൺ 8-ാം തീയതിയിലെ 23-ാം നമ്പർ ഇൻഡ്യാ ഗസററിന്റെ II-ാം ഭാഗത്ത് 3-ാം വകുപ്പ് (ii)-ാം ഉപവകുപ്പിൽ എസ്. ഒ. 1543 ആയി പ്രസിദ്ധീകരിച്ച കേന്ദ്ര ഗവൺമെന്റിന്റെ ആഭ്യന്തര മന്ത്രികാര്യാലയത്തിലെ 1963 മേയ് 31-ാം തീയതിയിലെ 2/4/63 ജുഡീഷ്യൽ എന്ന നമ്പർ വിജ്ഞാപനത്തിൽ, കേരള സംസ്ഥാനത്ത് യൂണിയന്റെ ആവശ്യത്തിനായി ഭൂമി വിലയ്ക്കെടുക്കുന്നതു സംബന്ധിച്ച 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) പ്രകാരമുള്ള കേന്ദ്ര ഗവൺമെന്റിന്റെ ചുമതലകൾ കേരള സർക്കാരിനെ അവരുടെ സമ്മതത്തോടുകൂടി ഭരമേല്പിച്ചിരിക്കുന്നതിനാലും;

1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം 1983 ഫെബ്രുവരി 22-ാം തീയതിയിലെ 8-ാം നമ്പർ കേരള ഗസററിന്റെ I-ാം ഭാഗത്ത് എസ്. ആർ. ഒ. 204/83 എന്ന നമ്പരിൽ 1983 ഫെബ്രുവരി 7-ാം തീയതിയിലെ 107801/പൊളി. സി. 2/82-1/ജി. എ. ഡി. എന്ന നമ്പർ വിജ്ഞാപനം താഴെ പറയുന്ന ഭൂമിയെ സംബന്ധിച്ച് പ്രസിദ്ധീകരിച്ചിരിക്കുന്നതിനാലും;

പ്രസ്തുത ആക്ട് 19-ാം വകുപ്പ് (4)-ാം ഉപവകുപ്പു പ്രകാരം സംഗതിയുടെ അടിയന്തിരസ്വഭാവം പരിഗണിച്ച് പ്രസ്തുത ആക്ട് 5-ാം വകുപ്പിലെ വ്യവസ്ഥകൾ താഴെ പറഞ്ഞിട്ടുള്ള സംഗതിക്ക് ബാധകമാകുന്നതല്ലെന്ന് കേരള സർക്കാർ നിർദ്ദേശിച്ചിരിക്കുന്നതിനാലും;

പ്രസ്തുത സ്ഥലം ഒരു പൊതു ആവശ്യത്തിനായി വിലയ്ക്കെടുക്കേണ്ടതാണെന്ന് കേരള സർക്കാരിന് ബോദ്ധ്യം വന്നിരിക്കുന്നതിനാലും;

ഇപ്പോൾ, അതിനാൽ, പ്രസ്തുത ആക്ട് 6-ാം വകുപ്പുപ്രകാരം കേരള സർക്കാർ താഴെ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 2.8465 ഹെക്ടർ വിസ്തീർണ്ണത്തിൽ അല്പം കൂടുതലോ കുറവോ വരുന്നതുമായ ഭൂമി ഒരു പൊതു ആവശ്യത്തിന് അതായത് എഴിമലയിൽ ഒരു നേവൽ അക്കാഡമി സ്ഥാപിക്കുന്നതിന് ആവശ്യമാണെന്ന് ഇതിനാൽ പ്രഖ്യാപിക്കുകയും, പ്രസ്തുത ആക്ട് 7-ാം വകുപ്പുപ്രകാരം പ്രസ്തുത സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിനുള്ള ഉത്തരവ് സ്വീകരിക്കുന്നതിന് രാമന്തളി നേവൽ അക്കാഡമി (എൽ. എ.) VI, സ്പെഷ്യൽ തഹശീൽദാരോട് നിർദ്ദേശിക്കുകയും ചെയ്യുന്നു.

മാത്രമല്ല, പ്രസ്തുത ആക്ട് 9-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരമുള്ള നോട്ടീസ് പ്രസിദ്ധപ്പെടുത്തുന്ന തീയതി മുതൽ പതിനഞ്ചു ദിവസം കഴിയുമ്പോൾ പ്രസ്തുത സ്ഥലം കൈവശപ്പെടുത്തിയെടുക്കേണ്ടതാണെന്നും സർക്കാർ 19-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം കളക്ടറോട് നിർദ്ദേശിക്കുന്നു.

സ്ഥലത്തിന്റെ ഒരു പ്ലാൻ രാമന്തളി നേവൽ അക്കാഡമി (എൽ. എ.) VI, സ്പെഷ്യൽ തഹശീൽദാരുടെ ആഫീസിൽ സൂക്ഷിച്ചിട്ടുള്ളതും ആഫീസ് സമയത്ത് എപ്പോൾ വേണമെങ്കിലും പരിശോധിക്കാവുന്നതുമാണ്.

SCHEDULE

District—Cannanore. Taluk—Taliparamba.
Village—Ramanthali. Desom—Ettikulam.

(The extent given is scrutinised)

Sl. No.	*Survey No.*	*Description*	*Extent in Hectares*
1	40/2A	Garden	0.1782
2	40/2B	,,	0.1237
3	40/3	,,	0.1619
4	40/4	,,	0.2345
5	40/5	,,	0.1457
6	40/6	,,	0.5189
7	40/7	,,	0.0840
8	40/10	,,	0.1003
9	40/11	,,	0.2294
10	40/12	,,	0.1597
11	40/14	,,	0.0226
12	40/15	,,	0.0276
13	40/16	,,	0.0106
14	40/18	,,	0.0872
15	40/19	,,	0.2883
16	40/20	,,	0.0050
17	40/21	,,	0.2766
18	40/25	,,	0.0141
19	40/26	,,	0.0029
20	40/27	,,	0.0379
21	40/28	,,	0.1374
		Total	2.8465

By order of the Governor,
P. VISWANATHAN NAIR,
Addl. Secretary to Government.

Explanatory Note

(This is not part of the declaration but is intended to bring out the general purport).

The President of India has in Notification No. 2/4/63/Judl. II dated 31-5-1963 entrusted the Government of Kerala with their consent the powers to acquire land for the use of the Central Government in the State and it appears to the State Government that the lands mentioned in the schedule above are needed for a public purpose, viz. for the establishment of a Naval Academy at Ezhimala.

This declaration is intended for the above purpose.

വിശദീകരണക്കുറിപ്പ്

(ഇത് പ്രഖ്യാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

ഇൻഡ്യൻ രാഷ്ട്രപതി 31-5-1963-ലെ 2/4/63-ജുഡീഷ്യൽ-II എന്ന നമ്പർ വിജ്ഞാപനത്തിൽ, കേരള സർക്കാരിന്റെ സമ്മതത്തോടുകൂടി സംസ്ഥാനത്ത് കേന്ദ്രസർക്കാരിന്റെ ആവശ്യത്തിലേക്ക് സ്ഥലം വിലയ്ക്കെടുക്കാനുള്ള അധികാരം അവരെ ഭരമേല്പിച്ചിട്ടുള്ളതും, മുകളിൽ പട്ടികയിൽ പറഞ്ഞിട്ടുള്ള സ്ഥലങ്ങൾ ഒരു പൊതു ആവശ്യത്തിന്, അതായത് എഴിമലയിൽ ഒരു നേവൽ അക്കാഡമി സ്ഥാപിക്കുന്നതിന്, ആവശ്യമാണെന്ന് സർക്കാരിന് ബോദ്ധ്യപ്പെട്ടിട്ടുള്ളതും ആകുന്നു.

ഈ പ്രഖ്യാപനം മേല്പറഞ്ഞ ആവശ്യത്തിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.

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KERALA GAZETTE

EXTRAORDINARY

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Vol. XXIX] Trivandrum, Wednesday, 15th February 1984 / 26th Magha 1905 (Saka) [No. 120

GOVERNMENT OF KERALA

Transport, Fisheries & Ports (H) Department

WITHDRAWAL NOTIFICATION

No. 26696/H3/83/TF & P. *Dated, Trivandrum, 9th January 1984.*

S. R. O. No. 152/84.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the land mentioned in the schedule given below in respect of which land acquisition proceedings were initiated by the issue of Notification No. 27756/TB2/82/TF & P dated the 8th February 1983 under subsection (1) of section 3 thereof published as S. R. O. No. 212/83 in the Kerala Gazette Extraordinary No. 179 dated the 22nd February, 1983.

SCHEDULE

District—Cannanore.
Village—Tellicherry.

Taluk and Municipality—Tellicherry.
Desom—Vadikkakam.

Ward III Block 4

Sl. No.	*Survey No.*	*Description*	*Extent in Hectare*
1	T. S. 143/2	R.D.C. Wet	0.6677
2	T. S. 144	,,	0.0283
		Total	0.6960

33/547/L.

Explanatory Note

(This does not form part of the notification, but is intended to explain the reason for the issue of the notification.)

Government have considered the objection filed by the owners of the lands and decided to drop acquisition of the above mentioned land since the facts pointed out against the acquisition were found genuine. Hence this notification.

എസ്. ആർ. ഒ. നമ്പർ 152/84.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 52-ാം വകുപ്പ്, (1)-ാം ഉപവകുപ്പു പ്രകാരം, കേരള സർക്കാർ, താഴെ ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1983 ഫെബ്രുവരി 22-ാം തീയതിയിലെ 179-ാം നമ്പർ അസാധാരണ കേരള ഗസററിൽ എസ്. ആർ. ഒ. 212/83 എന്ന നമ്പർ പ്രകാരം പ്രസിദ്ധീകരിച്ച പ്രസ്തുത ആക്ട് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരമുള്ള 1983 ഫെബ്രുവരി 8-ാംതീയതിയിലെ 27756/ടി. ബി 2/82/ടി. എഫ്. ആൻറ് പി. എന്ന നമ്പർ വിജ്ഞാപനം പുറപ്പെടുവിച്ചുകൊണ്ട് സ്ഥലമെടുപ്പ് നടപടികരം ആരംഭിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—കണ്ണൂർ. താലൂക്കും മുനിസിപ്പാലിററിയും—തലശ്ശേരി.
വില്ലേജ്—തലശ്ശേരി. ദേശം—വാടിക്കകം.

വാർഡ് III ബ്ലോക്ക് 4

ക്രമനമ്പർ	സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം ഹെക്ടറിൽ
1	ടി. എസ്. 143/2	ആർ.ഡി.സി. നിലം	0.6677
2	ടി. എസ്. 144	,,	0.0283
		ആകെ	0.6960

By order of the Governor,
V. A. AUGUSTINE,
Additional Secretary to Government.

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമാകുന്നതല്ല, എന്നാൽ ഈ വിജ്ഞാപനം പുറപ്പെടുവിക്കുന്നതിനുള്ള കാരണം വിശദീകരിക്കുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാകുന്നു.)

സ്ഥലത്തിന്റെ ഉടമകരം സമർപ്പിച്ച ആക്ഷേപങ്ങരം സർക്കാർ പരിഗണിക്കുകയും സ്ഥലമെടുക്കുന്നതിനെതിരെ ചൂണ്ടിക്കാണിച്ച വസ്തുതകരം യാഥാർത്ഥ്യമാണെന്ന് കാണുകയും ചെയ്തതുകൊണ്ട് മേൽപറഞ്ഞ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതു നിർത്തിവെയ്ക്കുന്നതിന് തീരുമാനിച്ചു. ആയതിനാലാണ് ഈ വിജ്ഞാപനം പ്രസിദ്ധീകരിക്കുന്നത്.

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KERALA GAZETTE

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NOTICE

UNDER SECTION 9 (5) OF THE KERALA LAND ACQUISITION ACT, 1961 (ACT 21 OF 1962)

No. B1-656/82. *13th February* 1984.

Notice is hereby given that the Government intend to take possession of the lands mentioned in the list below, which are required for a public purpose under the Kerala Land Acquisition Act, 1961 (Act 21 of 1962). All persons interested in the lands are required to appear in person or by authorised agent on the date, time and place noted below and to state/put in a statement in writing signed by themselves or their agents showing the nature of their respective interests in the lands and the amount and particulars of their claim to compensation for such interests in the lands and their objections, if any to the measurements made under section 8 of the Act.

Note:—If the persons interested refuse to make a claim to compensation or omit without sufficient reasons, to make such claim, the amount to be awarded by the Court, in the event of a reference being made to it on application made by them shall in no case exceed the amount awarded by the Collector under section 11 of the Act.

33/552/S

താഴെ കൊടുത്തിരിക്കുന്ന ലിസ്റ്റിൽ പറഞ്ഞിട്ടുള്ളതും, 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്റ്റ് (1962-ലെ 21-ാം ആക്റ്റ്) പ്രകാരം ഒരു പൊതുകാര്യത്തിന് ആവശ്യമായിട്ടുള്ളതുമായ ഭൂമി കൈവശപ്പെടുത്തുവാൻ ഗവൺമെന്റ് ഉദ്ദേശിക്കുന്നുവെന്ന് ഇതിനാൽ നോട്ടീസ് നൽകിയിരിക്കുന്നു. പ്രസ്തുത ഭൂമിയിൽ അവകാശബന്ധമുള്ള എല്ലാപേരും നേരിട്ടോ അധികൃത ഏജന്റുമൂലമോ താഴെ പറയുന്ന തീയതിയിലും, സമയത്തും, സ്ഥലത്തും ഹാജരാകുകയും, ഭൂമിയിൽ അവരോരോരുത്തർക്കുമുള്ള അവകാശബന്ധങ്ങളുടെ സ്വഭാവവും ഭൂമിയിൽ അങ്ങനെയുള്ള അവകാശബന്ധങ്ങളെ സംബന്ധിച്ചിടത്തോളം നഷ്ടപ്രതിഫലത്തിന് അവർക്കുള്ള തേർച്ചയുടെ തുകയും വിവരങ്ങളും ആക്റ്റ് 8-ാം വകുപ്പുപ്രകാരം എടുത്തിട്ടുള്ള അളവ് സംബന്ധിച്ച് വല്ല ആക്ഷേപവുമുണ്ടെങ്കിൽ അതും ഏതാണെന്ന് കാണിച്ചുകൊണ്ട് പ്രസ്താവന ചെയ്യുകയും, അവരോ അവരുടെ ഏജന്റുമാരോ എഴുതി ഒപ്പിട്ട ഒരു സ്റ്റേറ്റുമെന്റ് സമർപ്പിക്കുകയും ചെയ്യണമെന്ന് അവരോട് ആവശ്യപ്പെടുന്നു.

കുറിപ്പ്:—അവകാശബന്ധമുള്ളവർ നഷ്ടപ്രതിഫലത്തിന് തേർച്ചചെയ്യാൻ കൂട്ടാക്കാതിരിക്കുകയോ, മതിയായ കാരണമില്ലാതെ അങ്ങനെ തേർച്ച ചെയ്യാൻ വീഴ്ച ചെയ്യുകയോ ചെയ്യുന്നപക്ഷം അവരുടെ അപേക്ഷയിൻമേൽ കോടതിക്ക് റഫറൻസ് അയക്കുന്ന സംഗതിയിൽ കോടതി വിധിച്ചുകൊടുക്കേണ്ട തുക യാതൊരു സംഗതിയിലും ആക്റ്റ് 11-ാം വകുപ്പുപ്രകാരം കളക്റ്റർ വിധിച്ചുകൊടുക്കുന്ന തുകയിൽ കവിയാൻ പാടില്ലാത്തതാകുന്നു.

Date, time and place of appearnce—On 15-3-1984 at 11 a.m. before the Special Tahsildar (LA), Railways, Trichur.

PARTICULARS OF LANDS

District—Trichur.

Taluk—Trichur. Village—Trichur.

Description—Dry now wet

Sy. No.		*Extent in hectares*
1641/1-5		0.0425
1641/3-6		0.0395
1641/4-7		0.0094
	Total	0.0914

(Sd.)

Special Tahsildar (L.A.),
Railways.

Trichur.

NOTIFICATION

UNDER SECTION 13 OF THE KERALA SURVEY AND BOUNDARIES ACT, 1961

No. B1-659/82. *13th February* 1984.

1. It is hereby notified under section 13 of the Kerala Survey and Boundaries Act, 1961 (Act 37 of 1961) that the survey of the undermentioned areas is now complete.

2. Unless the survey hereby notified is modified by a decree of a Civil Court under the provisions of section 14 of the said Act, the records of the survey shall be conclusive proof that the boundaries determined and recorded therein have been correctly determined and recorded.

PARTICULARS OF THE AREA

Taluk—Talappilly- Village—Minalur.

Sy. Nos. completed.—

Sy. Nos.—78/2 and 79/2.

(Sd.)
Special Tahsildar (LA), Railways and Land Acquisition Officer.

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